

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

x

Plaintiff,

:

:

04 CV 6054 (BSJ)

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

:

**ACCEPTANCE OF SERVICE**

:

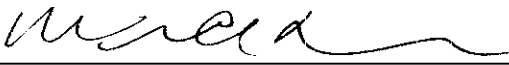
Defendants.

x

---

I, William A. Davis, Esq., attorney for defendant **Eli Lilly and Company** in  
the above-captioned matter, hereby accept service of the Summons and Complaint in this  
action.

Date: Aug. 24, 2004

  
\_\_\_\_\_  
William A. Davis, Esq.  
Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Attorney for Defendant  
Eli Lilly and Company

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE CITY OF NEW YORK,

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.,

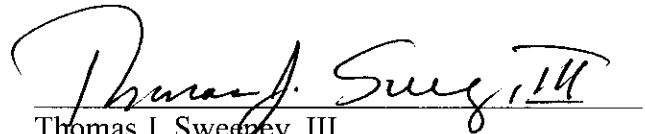
Defendants.

04 CV 6054 9BSJ)

**ACCEPTANCE OF SERVICE**

I, Thomas J. Sweeney, III, one of the attorneys for defendants **Bristol-Myers Squibb Company** and **Oncology Therapeutics Network Corporation**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: September 2, 2004



Thomas J. Sweeney, III  
Hogan & Hartson LLP  
875 Third Avenue  
New York, NY 10022

Attorney for Defendants  
**Bristol-Myers Squibb Company and  
Oncology Therapeutics Network  
Corporation**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

:

:

:

:

:

:

:

x

04 CV 6054 (BSJ)

**ACCEPTANCE OF SERVICE**

I, Andrew L. Hurst, Esq., attorney for defendants **Fujisawa USA, Inc.** and **Fujisawa Healthcare, Inc.**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: \_\_\_\_\_

8/26/04



Andrew L. Hurst, Esq.  
Reed Smith LLP  
1301 K Street, N.W.  
Suite 1100 - East Tower  
Washington, D.C. 20005

Attorney for Defendants  
***Fujisawa USA, Inc.*** and ***Fujisawa Healthcare, Inc.***

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

x

Plaintiff,

:

:

04 CV 6054 (BSJ)

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

:

**ACCEPTANCE OF SERVICE**

:

:

:

Defendants.

x

---

I, Christy D. Talley, Esq., attorney for defendants **Genzyme Corporation, Schering-Plough Corporation and Warrick Pharmaceuticals Corporation**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date:

8/31/04

Christy D. Talley  
Christy D. Talley, Esq.

Ropes & Gray LLP  
One International Plaza  
Boston, MA 02110-2624

Attorney for Defendants

***Genzyme Corporation, Schering-Plough Corporation  
and Warrick Pharmaceuticals Corporation***

**KING & SPALDING LLP**

1700 Pennsylvania Avenue, N.W.  
Washington, DC 20006-4706  
www.kslaw.com

John D. Shakow  
Direct Dial: 202/626-5523

jshakow@kslaw.com

August 23, 2004

**VIA FACSIMILE: (212) 751-2540**

James P. Carroll Jr.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 Third Avenue  
New York, NY 10022


**Re: *City of New York v. Abbott Laboratories, Inc. et al.***

Dear Jim:

King & Spalding LLP will accept service in the *City of New York* case on behalf of our clients, Hoffmann-La Roche Inc. ("Roche") and Roche Labs, at the above address. Roche and Roche Labs will therefore be parties to the stipulation as communicated to Kimberly Harris last week, extending the date by which they must respond to or answer the complaint to 60 days after Judge Saris' opinion on the *County of Suffolk* motion to dismiss is posted on Verilaw.

If you have any questions, please give me a call at 202-626-5523.

Sincerely,



John D. Shakow

ATLANTA • HOUSTON • LONDON • NEW YORK • WASHINGTON, D.C.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

04 CV 6054 (BSJ)

:

:

:

:

:


:

x

**ACCEPTANCE OF SERVICE**

I, Zoe Philippides, Esq., attorney for defendant **Immunex Corporation** in the  
above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: August 20, 2004

  
\_\_\_\_\_  
Zoe Philippides, Esq.  
Perkins Coie  
1201 Third Avenue  
Suite 4800  
Seattle, WA 98101

Attorney for Defendant  
Immunex Corporation

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

:

04 CV 6054 (BSJ)

:

:

:

:

:

**ACCEPTANCE OF SERVICE**

:

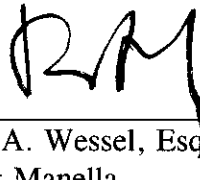
:

x

I, Bruce A. Wessel, Esq., attorney for defendant **Ivax Corporation** and **Ivax Pharmaceuticals, Inc.**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: \_\_\_\_\_

9/10/2004



\_\_\_\_\_  
Bruce A. Wessel, Esq.

Irell & Manella

1800 Avenue of the Stars

Suite 900

Los Angeles, CA 90067-4267

*Attorney for Defendants **Ivax Corporation**  
and **Ivax Pharmaceuticals, Inc.***

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

:

:

:

:

:

:

:

:

x

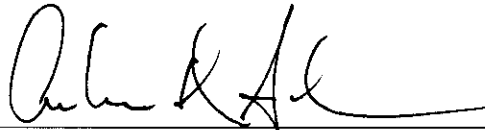
04 CV 6054 (BSJ)

**ACCEPTANCE OF SERVICE**

I, Andrew D. Schau, Esq., attorney for defendants **Johnson & Johnson, Janssen Pharmaceutica Products LP, McNeil-PPC, Inc., Ortho Biotech Products LP and Ortho-McNeil Pharmaceutical, Inc.**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: \_\_\_\_\_

9/01/04



Andrew D. Schau, Esq.  
Patterson, Belknap, Webb & Tyler LLP  
1133 Avenue of the Americas  
New York, NY 10036

Attorney for Defendants **Johnson & Johnson  
Janssen Pharmaceutica Products LP,  
McNeil-PPC, Inc., Ortho Biotech Products LP and  
Ortho-McNeil Pharmaceutical, Inc.**



**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

x

Plaintiff,

:

:

04 CV 6054 (BSJ)

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

:

**ACCEPTANCE OF SERVICE**

:

:

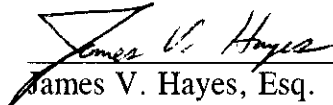
Defendants.

x

---

I, James V. Hayes, Esq., attorney for defendant **MedImmune, Inc.** in the  
above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: 08/19/04

  
James V. Hayes, Esq.  
Williams & Connolly, LLP  
725 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20005

Attorney for Defendant  
MedImmune, Inc.

# Hughes Hubbard & Reed LLP

1775 I Street, N.W.  
Washington, D.C. 20006-2401  
Telephone: 202-721-4600  
Facsimile: 202-721-4646

John M. Townsend  
Direct Dial: 202-721-4640  
E-mail: townsend@hugheshubbard.com

By Telecopier

August 26, 2004

James P. Carroll, Esq.  
Kirby, McInerney & Squire, LLP  
830 Third Avenue  
10th Floor  
New York, NY 10022

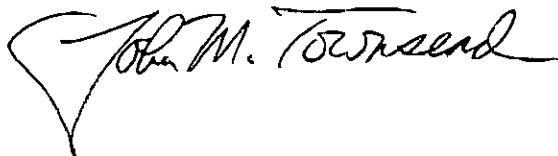
Re: The City of New York v. Abbott Laboratories, Inc., et al.  
No. 04-CV-6054 (BSJ)

Dear Mr. Carroll:

This letter will confirm that Hughes Hubbard & Reed LLP received and has accepted service of the complaint in the above-referenced action on behalf of defendant Merck & Co., Inc., on August 23, 2004.

We accepted service on the understanding that you have agreed to extend Merck's time to answer or otherwise respond to the complaint until 60 days after the decision by Judge Saris on the pending motion to dismiss the amended complaint in *County of Suffolk v. Abbott Laboratories, Inc. et al.*, No. 03-10643-PBS in MDL No. 1456. I understand that a stipulation is being prepared to document this agreement on behalf of a number of other defendants as well as Merck.

Sincerely yours,



cc: Stephen J. Cipolla, Esq.  
Kimberly Harris, Esq.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

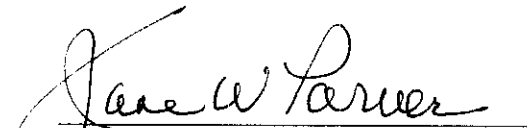
-----X

THE CITY OF NEW YORK,	:	04 CV 6054 (BSJ)
	:	
Plaintiff,	:	
	:	
- against -	:	
	:	<b>FED. R. CIV. P. 4(D)</b>
ABBOTT LABORATORIES, INC., ALCON	:	<b><u>WAIVER OF SERVICE</u></b>
LABORATORIES, INC., ALLERGAN, INC.,	:	
ALPHAMARA INC, et al.,	:	
	:	
Defendants.	:	

-----X

I, Jane W. Parver, attorney for defendant **Novartis Pharmaceuticals Corporation** in the above-captioned matter, hereby waive service of the Summons and Complaint in this action pursuant to Fed. R. Civ. P. 4(d).

Date: August 23, 2004

  
\_\_\_\_\_  
Jane W. Parver  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

Attorney for Defendant  
Novartis Pharmaceutical Corporation

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

THE CITY OF NEW YORK, :

Plaintiff, :

- against - :

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC, et al., :

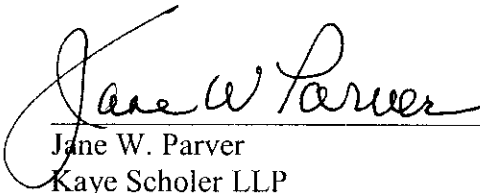
Defendants. :

**FED. R. CIV. P. 4(D)**  
**WAIVER OF SERVICE**

-----X

I, Jane W. Parver, attorney for defendant **Novartis Pharmaceuticals Corporation** in the above-captioned matter, hereby waive service of the Summons and Complaint in this action pursuant to Fed. R. Civ. P. 4(d).

Date: August 23, 2004

  
\_\_\_\_\_  
Jane W. Parver  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

Attorney for Defendant  
Novartis Pharmaceutical Corporation

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

x

Plaintiff,

:

:

:

04 CV 6054 (BSJ)

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

:

**ACCEPTANCE OF SERVICE**

:

Defendants.

x

---

I, Catherine K. Levy, Esq., attorney for defendant **Par Pharmaceuticals, Inc.**, in the  
above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: 8/24/04

CK Levy

Catherine K. Levy, Esq.  
Williams & Connolly, LLP  
725 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20005

Attorney for Defendant **Par Pharmaceuticals, Inc.**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

RECEIVED

AUG 20 2004

LORI A. SCHECHTER

THE CITY OF NEW YORK

x

Plaintiff,

:

:

04 CV 6054 (BSJ)

:

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

ACCEPTANCE OF SERVICE

:

:

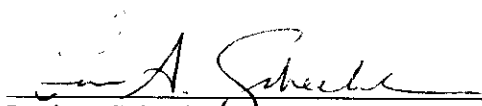
Defendants.

x

I, Lori A. Schechter, Esq., attorney for defendant **Purdue Pharma, LP** in the above-captioned matter, hereby accept service of the Summons and Complaint in this action in conjunction with agreement by plaintiff the City of New York that **Purdue Pharma, LP's** time to answer or otherwise respond shall be extended to a date to be agreed upon between defendants and plaintiff, which date shall be between 30-60 days after the ruling on the motion to dismiss the Suffolk Amended Complaint in the litigation pending before Judge Saris in the District of Massachusetts captioned *In re Pharmaceutical Industry Average Wholesale Price Litigation* (MDL 1456).

Date:

8/23/04

  
Lori A. Schechter, Esq.  
Morrison & Forester LLP  
425 Market Street  
San Francisco, CA 94105

*Attorney for Defendant **Purdue Pharma, LP***

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

:

:

:

:

:

:

:

:

x

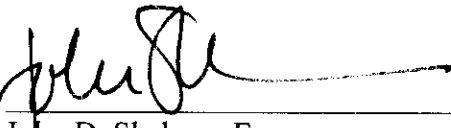
04 CV 6054 (BSJ)

**ACCEPTANCE OF SERVICE**

I, John D. Shakow, Esq., attorney for defendant **Sanofi-Synthelabo, Inc.**, in the  
above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date: \_\_\_\_\_

8/24/04

  
\_\_\_\_\_  
John D. Shakow, Esq.

King & Spalding LLP

1700 Pennsylvania Avenue, N.W.

Washington, D.C. 20006-47065

Attorney for Defendant **Sanofi-Synthelabo, Inc.**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

Plaintiff,

- against -

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

Defendants.

---

x

:

:

04 CV 6054 (BSJ)

:

:

:

:

**ACCEPTANCE OF SERVICE**

:

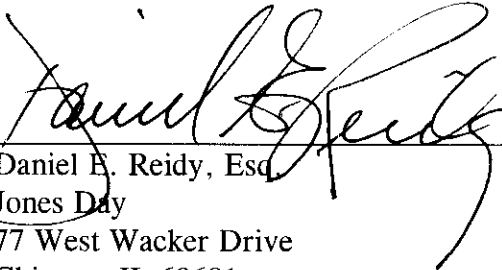
x

I, Daniel E. Reidy, Esq., attorney for defendant **TAP Pharmaceuticals**

**Products** in the above-captioned matter, hereby accept service of the Summons and Complaint  
in this action.

Date:

8-18-04

  
\_\_\_\_\_  
Daniel E. Reidy, Esq.  
Jones Day  
77 West Wacker Drive  
Chicago, IL 60601

Attorney for Defendant  
TAP Pharmaceuticals Products



**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

THE CITY OF NEW YORK

x

Plaintiff,

:

:

04 CV 6054 (BSJ)

- against -

:

:

ABBOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHAMARA INC., et al.

:

:

:

**ACCEPTANCE OF SERVICE**

:

:

:

Defendants.

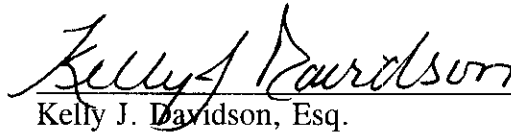
x

---

I, Kelly J. Davidson, Esq., attorney for defendant **Wyeth**, in the above-captioned matter, hereby accept service of the Summons and Complaint in this action.

Date:

9/2/04



Kelly J. Davidson, Esq.

Ober, Kaler, Grimes & Shriver  
120 East Baltimore Street  
Baltimore, MD 21202

Attorney for Defendant **Wyeth**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THE CITY OF NEW YORK

Index No. 04cv06054

Plaintiff

V.

ABOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHARMA INC., et. al.

Defendants  
-----X

STATE OF CALIFORNIA )  
COUNTY Los Angeles ) ss.:

RENDELL G HEADCOCK being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of California.

On AUGUST, 26<sup>TH</sup>, 2004 approximately 9:20 a.m. at 2525 Dupont Drive, Irvine, CA 92612, deponent served the within Summons in a Civil Case and Complaint upon Allergan Inc., by delivering to and leaving with (PERSON SERVED) CHRIS CTARBER (TITLE) Authorized Agent, a true and correct copy of said document. At the time of said service, (PERSON SERVED) CHRIS CTARBER stated that he was duly authorized to accept service of legal process for Allergan Inc.

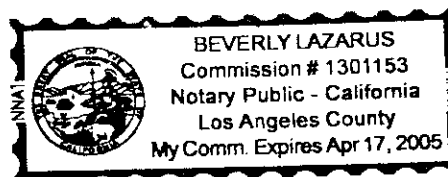
(PERSON SERVED) CHRIS CTARBER is described as a CAUC FEMALE, approximately 50 years of age, 180 lbs., 5'10" tall, with BLONDE hair and (OTHER FEATURES)

Renndell G Headcock  
(PROCESS SERVER'S SIGNATURE)

Sworn to before me this  
31 day of August, 2004

Beverly Lazarus  
Notary Public

Beverly Lazarus



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THE CITY OF NEW YORK

Index No. 03 CV 7055

Plaintiff

V.

ABOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHARMA INC., et. al.

Defendants  
-----X

STATE OF TEXAS )  
 ) ss.:  
COUNTY OF )

Michael Northrup being duly sworn deposes and says that: deponent is not a party  
to this action, and is over 18 years of age and is a resident of the State of Texas.

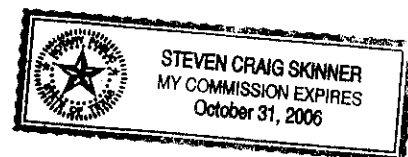
On August, 26<sup>th</sup>, 2004 approximately 4:30 p.m. at 6201 S. Freeway,  
(T1-3), Forth Worth, TX 76115, deponent served the within Summons in a Civil Case and Complaint  
upon Alcon Laboratories, by delivering to and leaving with (PERSON SERVED)  
Stephen Wilson, (TITLE) Assistant General  
council, a true and correct copy of said document.  
At the time of said service, (PERSON SERVED) Stephen Wilson stated that he  
was duly authorized to accept service of legal process for Alcon Laboratories.

(PERSON SERVED) Stephen Wilson is described as a White male,  
approximately 35 years of age, 185 lbs., 5'11" tall, with brown hair and (OTHER FEATURES)

Michael Northrup  
(PROCESS SERVER'S SIGNATURE)

Sworn to before me this  
9<sup>th</sup> day of August, 2004

Steven Skinner  
Notary Public



**KARLENE S. JACKSON**  
Notary Public  
State of New York, #01JA5083169  
Qualified in Kings County  
Commission Expires August 4, 2015

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THE CITY OF NEW YORK

Index No. 04CV 06054

Plaintiff

V.

ABOTT LABORATORIES, INC., ALCON  
LABORATORIES, INC., ALLERGAN, INC.,  
ALPHARMA INC., et. al.

Defendants

-----X  
STATE OF FLORIDA     )  
                                  ) ss.:  
COUNTY MIAMI-DADE )

HASSAN ALI, being duly sworn deposes and says that: deponent is not  
a party to this action, and is over 18 years of age and is a resident of the State of Florida.

On Wednesday, August 25, 2004 approximately 1:25 p.m. at 8151 Peters Road,  
Plantation, Fl. 33324, deponent served the within Summons in a Civil Case and Complaint upon  
Andrx Corporation by delivering to and leaving with Karina Dewind, a Paralegal, a true and  
correct copy of said document. At the time of said service, Karina Dewind stated that she was  
duly authorized to accept service of legal process on behalf of Andrx Corporation.

Karina Dewind is described as a Black female, approximately  
5' 11" tall, 130 to 140 lbs, 20 to 25 years of age,  
(other features) WEARS GLASSES AND HAS BLACK HAIR

Hassan Ali  
\_\_\_\_\_  
(PROCESS SERVER'S SIGNATURE)

Sworn to before me this  
27 day of August, 2004

Notary Public